

CITY OF WINONA RESOLUTION _____

**FINDINGS, CONCLUSIONS AND ORDER
OF WINONA CITY COUNCIL ON APPEAL OF A HERITAGE PRESERVATION
COMMISSION DECISION DENYING A CERTIFICATE OF APPROPRIATENESS**

WHEREAS, La Crosse Sign Group (Applicant or Appellant) petitioned the Winona City Heritage Preservation Commission (HPC) seeking a certificate of appropriateness (COA) for signage located at 101 West Third Street in the City of Winona, Minnesota. The real property located at 101 West Third Street is legally described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a copy of the COA application presented to the HPC is attached hereto and incorporated herein by reference as Exhibit B; and

WHEREAS, a reference map of the subject area is attached hereto and incorporated herein by reference as Exhibit C; and

WHEREAS, Winona City Code, Section 22.27(l)(1) provides (in part) as follows:

(1) Certificate of Appropriateness. An application for a Certificate of Appropriateness shall be made to the Commission before any of the following work is begun on land located within a heritage preservation site or district.

- (i) Any exterior repair, alteration or modification unless otherwise excepted below;
- (ii) Destroying a building in whole or in part;
- (iii) Construction of new buildings or new additions to an existing structure;
- (iv) Construction or replacement of walks, lighting, signs, fences, parking facilities, swimming pools, and other site modifications located either within, or within view of, public street right-of-ways;

A certificate of appropriateness shall not be required for the following activities:

- (i) Painting;
- (ii) Interior remodeling when such work does not, in any way, alter the exterior character of a structure;

- (iii) Use of change in use of a structure;
- (iv) Emergency repairs of a temporary nature to structures affected by fire, vehicle damage, vandalism, wind storm, or the like. Such approval shall be limited to repairs necessary to make the structure wind-tight, waterproof, and free from unauthorized entry. Unless approved by the Commission, temporary repairs shall extend for a period not to exceed 120 days. If required, all final repairs shall be reviewed pursuant to subsection (1)(2).
- (v) Maintenance or reconstruction where any exterior surface materials are to be replaced with identical materials; where such replacement materials will be installed to the original configuration; and where such activity will affect no more than 10 percent of the total exterior surface area of the structure.

; and

WHEREAS, Winona City Code, Section 22.27(I)(6) further provides (in part) as follows:

- (6) Criteria. When reviewing an application as described under this section, the Commission shall consider whether the work affects the heritage preservation site in the following cases.
 - (i) Proposed alteration or addition to an existing building, structure or site. The Commission's written findings shall refer to the following criteria:
 - (a) The Commission shall be guided by the Secretary of the Interior's Standards for Rehabilitation, as well as by local standards or guidelines adopted by the Commission for Heritage Preservation Sites, districts and neighborhoods. In all cases, the Commission shall give consideration to the amount and quality of original material and design remaining in the building when applying criteria, guidelines and standards. Consideration shall also be given to clear cases of economic hardship or to deprivation of reasonable use of the owner's property.

; and

WHEREAS, pursuant to Winona City Code, Section 22.27(I)(6), the HPC has adopted sign guidelines and utilized the same in its consideration of the present request for a COA; and

WHEREAS, an excerpt pertaining to signage from Winona's Historic District Design Guidelines (Guidelines) is attached hereto and incorporated herein by reference as Exhibit E; and

WHEREAS, the Guidelines in relevant part provide as follows in relation to the present application for a COA a sign:

- A) "Storefronts should be limited to two signs – one primary and one secondary. The primary sign should be located above storefront display windows but below the sills of second floor windows. On many examples of turn-of-the-century buildings a continuous brick ledge or corbelling is used to separate the second floor and above from the storefront below. This space is ideal for sign placement, as it was often created for this purpose."
- B) "Signage for commercial storefronts should be compatible with the scale, style, and period of the building."
- C) "New signage should be composed of traditional materials such as wood, copper, or bronze. Plastic or plywood signs are not recommended."
- D) "New signage should be installed in such a way as to prevent any damage to the building by anchoring into mortar joints, not masonry."
- E) "Signage incorporating or resembling business logos and symbols is recommended."
- F) "Lighting of signs is encouraged but internally lit signs are not recommended."
- G) "The sign must be subordinate to the building, not the opposite. Actual size may vary, but sign-boards, if used, need not exceed two and a half feet high. This size is appropriate for distances the sign will be read from in a downtown setting. Letters should not be less than eight inches nor more than eighteen inches high."
- H) If a projected sign is planned, placement will be critical to avoid interferences with adjacent signs and architecture of the storefront itself. The sign should be located at the bottoms and are no less than eight feet above the sidewalk."

; and

WHEREAS, the HPC conducted a public hearing on September 8, 2021, and received public testimony regarding the requested COA, including from the Applicant; and

WHEREAS, all required notices regarding the HPC public meeting were properly made; and

WHEREAS, on September 8, 2021 the HPC denied the COA application submitted by Applicant in accordance with certain findings based on the City Code and Winona's Historic District Design Guidelines, in particular the following:

- The proposed signage's size is out of proportion to the building and does not meet the 2'6" height recommendation found in the Historic District Design Guidelines;
- The proposed signage is composed of materials not meeting the Historic District Design Guidelines, including vinyl and acrylic which is expressly not recommended; and
- The proposed signage is internally lit, which is not recommended in the Historic District Design Guidelines.

; and

WHEREAS, the draft Minutes of the September 8, 2021 HPC meeting are attached hereto and incorporated herein by reference as Exhibit D; and

WHEREAS, Luke Sims, Assistant Winona City Planner and Secretary of the HPC, following the September 8, 2021, meeting notified the Applicant in writing of the HPC's denial of the COA, a copy of the letter being attached herein and incorporated herein by reference as Exhibit F; and

WHEREAS, the City received a timely appeal, dated September 22, 2021, from the Applicant of the decision of the HPC to the City Council of the City of Winona, Minnesota, a copy of the appeal is attached hereto and incorporated herein by reference as Exhibit G; and

WHEREAS, notice of this public appeal hearing before the City Council of Winona, Minnesota, was duly given pursuant to Winona City Code, Section 27.27(1)(4); and

WHEREAS, a public appeal hearing was held on October 18, 2021, before the Winona City Council to consider the appeal from the decision of the HPC on September 8, 2021.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WINONA, MINNESOTA, based upon the record, testimony and evidence presented at said hearing, makes the following:

FINDINGS AND CONCLUSIONS

1. That the above recitals and exhibits are hereby adopted and incorporated herein by reference as findings.

2. A public appeal hearing was held on October 18, 2021 before the Winona City Council to consider the appeal from the HPC's decision denying the COA.
3. The City Council of Winona, Minnesota has jurisdiction to hear the appeal and notice of the public appeal hearing before the City Council of Winona, Minnesota, was duly given, pursuant to Winona City Code, Section 22.27(l)(4).
4. The issue on appeal heard by the Winona City Council on October 18, 2021 was the following: Should the September 8, 2021, decision of the HPC to deny the COA for the signage at 101 West Third Street be affirmed, amended, or overruled?
5. The individuals who testified at the public appeal hearing included representatives of the Appellant, the HPC and representatives of the public. Those individuals heard at the October 18, 2021 public appeal hearing in this matter are shown in Exhibit H, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WINONA, MINNESOTA, based upon the record, testimony and evidence presented at said hearing and the above findings and conclusion, and orders as follows ((X) one of the following ALTERNATIVES):

ORDER

___ **ALTERNATIVE 1: AFFIRMS THE DECISION OF THE HPC**

1. That the decision of the HPC as set forth in the letter dated September 10, 2021, Exhibit F, by Luke Sims, Assistant City Planner and Secretary of the HPC, denying the certificate of appropriateness for the signage at 101 West Third Street, is hereby affirmed in its entirety based on the findings contained therein and the Minutes of the HPC meeting contained in Exhibit D.

___ **ALTERNATIVE 2: AFFIRMS AND AMENDS THE DECISION OF THE HPC**

1. That the decision of the HPC as set forth in the letter dated September 10, 2021, Exhibit F, by Luke Sims, Assistant City Planner and Secretary of the HPC, denying the certificate of appropriateness for the signage at 101 West Third Street is hereby affirmed based on the findings contained therein and the Minutes of the HPC meeting contained in Exhibit D, except that the same are hereby amended to modify the findings, as follows:

_____ **ALTERNATIVE 3: OVERRULES THE DECISION OF THE HPC**

1. That the decision of the HPC as set forth in the letter dated September 10, 2021, Exhibit F, by Luke Sims, Assistant City Planner and Secretary of the HPC, denying the certificate of appropriateness for the signage at 101 West Third Street is overruled in its entirety.

2. That the COA is hereby approved based upon the following findings:

Dated this _____ day of _____, 2021

Scott Sherman
Mayor

Monica Hennessy Mohan
Winona City Clerk

EXHIBIT A

Legal Description – 101 West Third Street

That part of Lots One (1) and Four (4) in Block Twenty (20) in the Original Plat of Winona, Winona County, Minnesota, bounded by lines as follows: Beginning on the South line of Third Street 24 feet Westerly from the Northeast corner of Lot One (1), Block Twenty (2), according to the Original Plat of Winona, and running thence Southerly and parallel with Main Street 110 feet to alley, thence at right angles Westerly 48 feet, thence Northerly and parallel with Main Street 110 feet to Third Street, thence Easterly on South line of Third Street 48 feet to the place of beginning, all in the City of Winona.

Also, that part of Lots One (1) and Four (4) in Block Twenty (20) in the Original Plat of Winona in the City of Winona, more particularly described as follows: Commencing at the Northeast corner of said Block Twenty (2), thence Southerly along the West line of Main Street 110 feet, thence Westerly at right angles with Main Street 24 feet, thence Northerly parallel to or with Main Street 110 feet to the Southerly line of Third Street, thence Easterly on the Southerly line of Third Street 24 feet to the place of beginning, all in Winona county, Minnesota.

EXHIBIT B

Application for Certificate of Appropriateness

City of Winona

Application for Certificate of Appropriateness

If additional space is needed, attach more pages. Once fully completed, submit application, with all supporting data, to:

City of Winona
Community Development Office
207 Lafayette Street, Room 210
Winona, MN 55987
(507) 457-8250

DESIGNATED PROPERTY

Name Erbert & Gerberts

Address 101 West 3rd St.

OWNER

Name Nate Hillesheim

Phone: 507-313-3782

Address 101 West 3rd St.

Email: erbertandgerbert_winona@hotmail.com

PERSON FILING APPLICATION, IF OTHER THAN OWNER

Name La Crosse Sign Group - Jon Mattson

Phone: 608-781-1450

Address 1450 Oak Forest Dr, Onalaska, WI, 54650

Email: jon.mattson@lacrossesign.com

TYPE OF WORK PROPOSED

☐ Exterior Alteration

☐ Relocation

☐ Demolition

☒ Sign - must also fill out sign application

☐ New Construction

☐ Other

Proposed Starting Date 9/15/21

Date of Completion 9/15/21

PROPOSED PROJECT

Describe clearly and in detail all work to be done. Include the following items where appropriate.

☐ Sketches, specifications, manufacturer's illustrations or other description of proposed changes to the building façade or roof, new additions, or site improvements. Drawings/sketches will be required for major changes for such items as roofs, facades, porches, or prominent architectural features.

☐ Description and/or samples of proposed materials when the original material will not be retained or in the case of new construction.

☐ Current site plan including the location of all large trees, parking areas, walls, fences, outbuildings, or other landscape features of note and proposed changes to that plan.

☐ For new construction, a scaled plot plan and elevation drawings of each façade which clearly show the exterior appearance.

☐ Photographs of site and structure.

☐ Copies of structure reports where applicable.

☐ Give the reason for demolition/relocation and describe the proposed reuse of the site, including landscaping.

☐ Artist's or sign painter's drawings (to scale) with color selections for new signs or proposed changes to existing signs

Work Description (use additional pages if necessary)

Existing Erbert and Gerbert's sign will be removed and new projecting sign will be installed (photos attached). The sign that is planned to be installed is consistent with Erbert and Gerbert's standard signage and logo. The proposed sign will help Erbert and Gerbert's have a more uniformed look with other Erbert and Gerbert locations and help brand recognition.

The undersigned agrees that the above constitutes the construction or alteration to be undertaken at this time and that any changes or additions will require another application.

Applicant's Signature Jon Mattson Date 7/26/21

Property and/or Building Owner Signature _____ Date _____

STAFF USE ONLY

Date received by the Heritage Preservation Commission: _____

Date of Review/Hearing: _____

Application _____ Granted _____ Denied _____ Date: _____

Comments _____

Resolution Number: _____ Staff's Signature _____

INSTRUCTIONS

_____ Complete the attached application for a Certificate of Appropriateness (COA).

_____ File the application and all additional information with the Department of Community Development.

_____ Attend the meeting in which your project will be reviewed. (Someone must be present.)

_____ The Commission will approve or reject an application for a COA at regularly scheduled Commission meetings. For some simpler projects, a three-member subcommittee may be charged with determining whether to award your COA. In part, the approval of any COA will be based upon findings that proposed work will be compliant with review/design criteria of Historic District Design Guidelines and Secretary of the Interior's Standards for the Rehabilitation of Historic Properties. Adopted guidelines, including a summary of Secretary of Interior Standards, can be found at www.cityofwinona.com. COA applicants are strongly encouraged to review these documents prior to submittal of applications.

_____ In the event that the Commission rejects an application, it shall state its reason for doing so in writing to the applicant and suggest alternative courses of action it thinks proper. Such decisions are appealable to City Council, by the applicant.

2021 SIGN PERMIT APPLICATION
CITY OF WINONA – COMMUNITY DEVELOPMENT DEPARTMENT
207 LAFAYETTE, WINONA, MN 55987
(507)457-8250; FAX (507)457-8212

Property Address: 101 W 3rd St. Suite/Unit: _____

Applicant is: _____ Owner ☒ Contractor _____ Other _____

Property Owner:

Company/Individual Scott A Abramson
 Contact Person _____
 Mailing Address 563 Huff St
 City/State/Zip Winona, MN, 55987
 E-Mail _____
 Phone _____

Applicant:

Company/Individual Erbert & Gerberts
 Contact Person Nate Hillesheim
 Mailing Address 101 West 3rd St.
 City/State/Zip Winona, MN, 55987
 E-Mail erbertandgerbert_winona@hotmail.com
 Phone 507-313-3782

Contractor:

Company/Individual La Crosse Sign Group
 Contact Person Jon Mattson
 Mailing Address PO Box 187
 City/State/Zip Onalaska, WI, 54650
 E-Mail jon.mattson@lacrossesign.com
 Phone 608-781-1450

PERMIT FEE: Wall signs, roof signs, projecting signs, church signs, with a minimum fee of \$48.00; ground signs, \$100.00.

TYPE OF USE: _____

CLASS: ☒ New ☐ Alteration ☐ Repair ☐ Replace

DISTRICT: ☐ CBD ☐ Highway ☐ Industrial ☒ Business ☐ Residential ☐ Park
 Mixed Use Downtown Core districts

SIGN DESCRIPTION:

TYPE: ☐ Wall ☒ Projecting ☐ Ground ☐ Billboard **QUANTITY:** 1
FACE: ☐ Metal ☒ Plastic ☐ Stone ☐ Wood ☐ Other _____
FRAME: ☒ Metal ☐ Plastic ☐ Wood ☐ Other (Oth) _____
SUPPORT: ☒ Metal ☐ Plastic ☐ Wood ☐ Other (Oth) _____
ILLUMINATED: ☒ Internally ☐ Externally ☐ Not Illuminated
SIZE OF SIGN FACE: Width: 3' - 9" Height: 3' - 9" Number of Faces: 2
SETBACK IN FEET FROM PROPERTY LINE: _____
TOTAL HEIGHT IN FEET TO TOP OF SIGN: 16'
TOTAL HEIGHT IN FEET TO BOTTOM OF SIGN: 12'

SIGN MESSAGE (REMARKS): La Crosse sign will be installing a projecting sign (photos attached) that is provided by the customer. Sign will be installed in location per attached marked up photos.

Jon Mattson 7/13/21

Applicant's Signature

Building Owner's Signature

For Staff Use Only

Date Received: _____ Permit # _____ EG-INV- _____
 Parcel #: _____ Frontage _____ Receipt # _____
 Approved by _____ Date Approved _____ Fee _____

(See Other Side For Application Requirements)

Approximate mounting
location





Mounting location for
projecting sign









Luke Sims

From: Joel House <joel.house@lacrossesign.com>
Sent: Tuesday, September 7, 2021 5:31 PM
To: Luke Sims
Subject: Re: [External] RE: Additional Documentation Related to Certificates of Appropriateness
Attachments: Art 110585-5.pdf; NPS Article.pdf

Hi Luke,

Attached to this email is a rendering in scene, with the sign shown lit up at night. Included in the drawing is the way the sign is intended to be mounted to the building.

An installation schematic detail of the mounting brackets and plate to address concerns related to the brick horizontal articulation where the sign is proposed to go. Please indicate how the sign mounts to the plate and how the brackets connect to the brick/mortar. **Attached to this email.**

2a) Information related to Erbert's and Gerbert's corporate branding/signage standards in historic districts (if available). **Checked and not available.**

2b) Information related to this specific sign being chosen among Erbert's and Gerbert's signage selections, especially in relation to their corporate branding/signage standards in historic districts (if available) **Not available.**

3a) Percent of the sign that would be illuminated as proposed. This was discussed by the COA Committee but a specific percentage was unavailable at the time of meeting. A clear percentage may be helpful as it relates to the standard in the Historic District Design Guidelines (signage excerpt attached). **See attached, approximately 50%.**

3b) Whether the sign can be installed without illumination. This pertains to a core issue the COA Committee had relating to the the Historic District Design Guidelines' recommendation against backlit signage. **This sign could be installed without illumination.**

Lastly, I have included in this email a PDF excerpt recommendation from the department of interiors. I believe this argues to not restrict the type of lighting to be used in new signs in historic district. Link below as well.

<https://www.nps.gov/tps/how-to-preserve/briefs/25-signs.htm#signage>

Preservation Brief 25: The Preservation of Historic Signs - NPS

Signs speak of the people who run the businesses, shops, and firms. Signs are signatures. They reflect the owner's tastes and personality. They often reflect the ethnic makeup of a neighborhood and its character, as well as the social and business activities carried out there.

www.nps.gov

New Signs and Historic Buildings [return to top ▲](#)

Preserving old signs is one thing. Making new ones is another. Closely related to the preservation of historic signs on historic buildings is the subject of new signs for historic buildings. Determining what new signs are appropriate for historic buildings, however, involves a major paradox: Historic sign practices were not always "sympathetic" to buildings. They were often unsympathetic to the building, or frankly contemptuous of it. Repeating some historic practices, therefore, would definitely not be recommended.

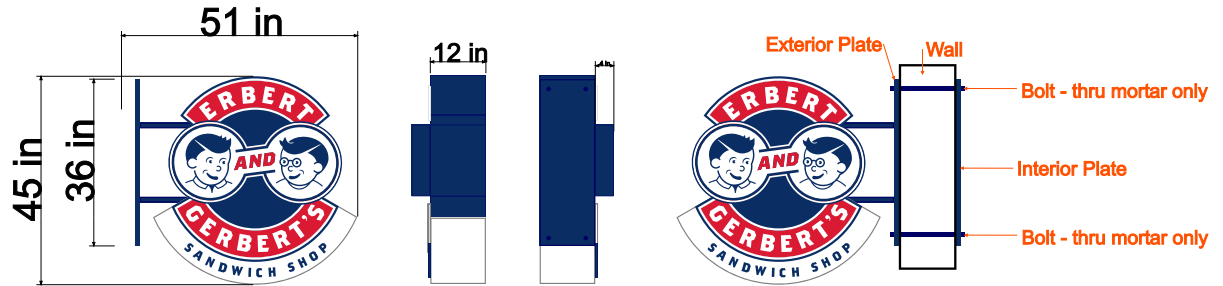
Yet many efforts to control signage lead to bland sameness. For this reason the National Park Service discourages the adoption of local guidelines that are too restrictive, and that effectively dictate uniform signs within commercial districts. Instead, it encourages communities to promote diversity in signs—their sizes, types, colors, lighting, lettering and other qualities. It also encourages business owners to choose signs that reflect their own tastes, values, and personalities. At the same time, tenant sign practices can be stricter than sign ordinances. The National Park Service therefore encourages businesses to fit their sign programs to the building.

The following points should be considered when designing and constructing new signs for historic buildings:

- signs should be viewed as part of an overall graphics system for the building. They do not have to do all the "work" by themselves. The building's form, name and outstanding features, both decorative and functional, also support the advertising function of a sign. Signs should work with the building, rather than against it.
- new signs should respect the size, scale and design of the historic building. Often features or details of the building will suggest a motif for new signs.
- sign placement is important: new signs should not obscure significant features of the historic building. (Signs above a storefront should fit within the historic signboard, for example.)
- new signs should also respect neighboring buildings. They should not shadow or overpower adjacent structures.
- sign materials should be compatible with those of the historic building. Materials characteristic of the building's period and style, used in contemporary designs, can form effective new signs.
- new signs should be attached to the building carefully, both to prevent damage to historic fabric, and to ensure the safety of pedestrians. Fittings should penetrate mortar joints rather than brick, for example, and signloads should be properly calculated and distributed.

<https://www.nps.gov/tps/how-to-preserve/briefs/25-signs.htm#signage>

Projecting Sign



Approved by: _____ Date: _____

Landlord: _____ Date: _____

*Colors on sketch are only a representation, actual color of finished product may differ from this sketch.

*To make the best use of standard sized materials and control costs the size of the finished product may vary slightly.

lacrossesign.com



**La Crosse
Sign Group**

1450 Oak Forest Drive • Onalaska, WI 54650 • 608-781-1450
2242 Mustang Way • Madison, WI 53718 • 608-222-5353
2502 Melby Street • Eau Claire, WI 54703 • 715-835-6189

This artwork is copyright La Crosse Sign Group and may not otherwise be used without permission. It is the property of La Crosse Sign Group and must be returned to them upon request.

DESIGN

Drawing by: Jason Burrows
Sign Type: Projecting Sign
Date Created: 5-11-2021
Last Modified: 9-7-2021
Scale: 1/4" = 1'

SALES

Job Name: Erbert & Gerbert's
Job Address: 101 West 3rd St,
Winona, MN 55987
Consultant: Joel House
Job Number: 110585

FILE

Version Number: 5
Job File Location:
S:\E\Erbert & Gerbert's\Winona\
110585 Install Projecting Sign\Design

COLOR KEY

- ① ■ TBD / Logo Match Red
- ② ■ TBD / Logo Match Blue
- ③

EXHIBIT C

Reference Map



320001340

320001180

320001150

320001100

320000940

Johnson St

320001470

320001460

320001450

320001490

320001480

320001440

320001430

320001420

320001400

320001510

320001520

320001530

320001540

320001500

Main St

320001630

320001610

320001600

WINONA

320001590

320001570

320001580

320001560

320001660

320001650

320001670

320001680

320001691

320001690

320001710

320001700

320001800

320001790

320001780

320001770

320001760

320001820

320001750

320001740

320001730

320001720

43

E 3rd St

320002621

EXHIBIT D

Draft Minutes of the September 8, 2021, HPC Meeting

HERITAGE PRESERVATION COMMISSION MINUTES

DATE: September 8, 2021

PRESENT: Michael Doyle, Connie Dretske, Innes Henderson, Joseph Hughes, Jessica Paolini, Peter Shortridge

ABSENT: Cynthia Jennings, Emily Kurash Casey, Kendall Larson

STAFF: Luke Sims, Assistant City Planner

1. Call to Order

The designated Acting Chairperson Innes Henderson called the meeting to order at 4:00 pm.

2. Approval of Minutes – August 18, 2021

Commissioner Doyle moved to approve the minutes. Commissioner Hughes seconded the motion.

Commissioner Doyle noted that City Staff's name was misspelled and that the Winona & St. Peter Railway should be referenced as such. Mr. Sims responded that those changes could be made administratively.

No discussion forthcoming, the Commission voted on the motion at hand. All members present voted aye via roll call vote.

3. Public Hearing – Certificate of Appropriateness – 101 West Third Street Signage

Acting Chairperson Henderson provided an overview of the item at hand and noted the requested information from the COA Committee and Heritage Preservation Commission at the meeting on August 18, 2021: 1) An installation schematic detail of the mounting brackets and plate to address concerns related to the brick horizontal articulation where the sign is proposed to go; indicated how the sign mounts to the plate and how the brackets connect to the brick and mortar; 2a) Information related to Erbert's and Gerbert's corporate branding and signage standards in historic districts if available; 2b) Information related this specific sign being chosen among Erbert's and Gerbert's signage selections, especially in relation to their corporate branding/signage standards in historic districts if available; 3a) Percent of the sign that would be illuminated as proposed as a specific percentage was not available at the time of meeting with the COA Committee; 3b) Whether the sign can be installed without illumination.

Acting Chairperson Henderson invited Mr. Joel House, representing the applicant La Crosse Sign Group, to speak to the Commission. Mr. House mentioned that there were no corporate historic signage standards for Erbert's and Gerbert's, spoke to the installation bracket detail provided to the Commission on September 7, 2021 (documentation included in these minutes as Appendix B), and mentioned that the illumination proposed for this sign would be approximately 50% of the sign as shown in the documentation provided on September 7, 2021. Mr. House asked that the

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Commission consider the excerpt from the Department of Interior regarding new signage on historic buildings, which notes that “efforts to control signage lead to bland sameness and that for this reason, the National Park Services discourages the adoption of local guidelines that are too restrictive, and that effectively dictate uniform signs within commercial districts. Instead, it encourages communities to promote diversity in signs – their sizes, types, colors, lighting, lettering and other qualities. It also encourages business owners to choose signs that reflect their own tastes, values, and personalities. At the same time, tenant sign practices can be stricter than sign ordinances. The National Park Service therefore encourages business to fit their sign programs to the building.” Mr. House also mentioned that he has been in the sign industry for 10 years and that these types of installations would not be uncommon in other historic areas of cities he has worked.

Mr. Sims provided his staff report on the property, noting that the Slade Block at 101 West Third Street is a contributing property to the Winona Commercial Historic District, a district on the National Register of Historic Places and a locally designated historic district for which the proposed internally lit, metal projecting sign will be replacing a flat wall sign with external goose neck lighting along the Main Street façade. Mr. Sims reiterated the information requested by the COA Committee and the Commission, namely: 1) An installation schematic detail of the mounting brackets and plate to address concerns related to the brick horizontal articulation where the sign is proposed to go; indicated how the sign mounts to the plate and how the brackets connect to the brick and mortar; 2a) Information related to Erbert’s and Gerbert’s corporate branding and signage standards in historic districts if available; 2b) Information related this specific sign being chosen among Erbert’s and Gerbert’s signage selections, especially in relation to their corporate branding/signage standards in historic districts if available; 3a) Percent of the sign that would be illuminated as proposed as a specific percentage was not available at the time of meeting with the COA Committee; 3b) Whether the sign can be installed without illumination and that information was provided on September 7, 2021 and forwarded to the Commission upon receipt and provided for the Commission to consider at the meeting today. Mr. Sims reminded the Commission that the COA should be reviewed in reference to the Department of the Interior’s Standards and the Historic District Design Guidelines adopted by the City of Winona in 2007. Mr. Sims directed the Commission to the signage excerpt from the guidelines included in the agenda packet and to staff’s analysis of seven components, outlined as items A through G in the agenda packet, including that A) storefronts should be limited to two signs – one primary and one secondary. The primary sign should be located above storefront display windows but below the sills of second floor windows. On many examples of turn-of-the-century buildings a continuous brick ledge or corbelling is used to separate the second floor and above from the storefront below. This space is ideal for sign placement as it was often created for this purpose; B) Signage for commercial storefront should be compatible with the scale, style, and period of the building; C) New signage should be composed of traditional materials such as wood, copper, or bronze. Plastic or plywood signage are not recommended; D) New signage should be installed in such a way as to prevent any damage to the building by anchoring into mortar joints, not masonry; E) Signage incorporating or resembling business logos and symbols is recommended; F) Lighting of signs is encouraged but

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internally lit signs are not recommended; G) If a projecting sign is planned, placement will be critical to avoid interferences with adjacent signs and architecture of the storefront itself. These signs should be located to the bottom and are no less than eight feet above the sidewalk.” Mr. Sims informed the Commission that the action to be taken would be to either approve the request as outlined in the draft resolution in the agenda or the deny the request using the other draft resolution and stating the findings for denial.

Acting Chairperson Henderson opened the public hearing.

Nate Hillesheim, owner of Erbert's and Gerbert's, came forward to speak. He noted that he didn't go through this process last time for the existing sign, the new sign will show more of the building, and that the current wall sign is damaged by the sun and so a new sign is desired. He mentioned that his business is open late for visitors and that he is trying to attract regular clientele rather than catering to tourists.

Sue Hauser of 22594 Knollwood Lane came forward to speak. She asked if the sign board size consideration should be a part of the review. Mr. Sims clarified that the consideration being referenced is that “sign-boards, if used, need not exceed two and a half feet high” in the 2007 design guidelines and that other signs are typically held to that standard. Mr. Sims mentioned that the Commission may consider whether the proposed metal projecting sign constitutes using a sign board or not. Ms. Hauser mentioned that the Flow Yoga sign on her building on East Third Street was held to that standard and denied and that it resulted in a sign that she feels is too small. Ms. Hauser mentioned that she supports the application from La Crosse Sign Group.

No further comments from the public forthcoming, Acting Chairperson Henderson closed the public hearing.

Commissioner Paolini asked internally lit signs were not encouraged in the downtown design guidelines when they were crafted. Mr. Sims responded that he can't speak directly to the opinions of the Commissioners when those were drafted. Commissioner Shortridge responded that it was because the majority of the buildings in the Winona Commercial Historic District are from a period of significance, primarily 1868-1920, that would not have had internally lit signs as regularly used technology.

Commissioner Shortridge asked Ms. Hauser why her sign was not allowed. Ms. Hauser claimed that the sign for Soula was denied, that Flow Yoga was denied, and that she remembers past signs being larger in Winona when was growing up. She mentioned that she believes the guidelines are altering the past not preserving it.

Commissioner Shortridge asked Mr. House for further information on how the proposed bracket would affect the brick corbeling on the building. Mr. house responded that the bracket be over the corbelling and act a sleeve on which the sign will be attached. Commissioner Shortridge mentioned that the proposal would leave a lot of hardware open and showing as there are multiple inches of projection from

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the brick corbeling. Acting Chairperson Henderson mentioned that there are about five inches (5") of projection and that the proposal does not make it clear to him if the faceplate will be scribed to the corbeling or if it will incorporate spacers to stand off from the building. Acting Chairperson Henderson also mentioned that he was still not sure based on the information provided how much detail and collateral damage to the brick could be expected from the installation of the sign in this manner at that location.

Commissioner Shortridge asked Mr. House about the lens component of the proposed sign and what the illuminated sections would be made out of. Mr. House responded that the illuminated section would be acrylic. Commissioner Shortridge mentioned that plastic or acrylic are not approved materials. Acting Chairperson Henderson asked whether the Commission cares if the sign is metal at its core or if the finish of the sign matters more. Mr. Sims responded that it is up to the Commission to determine through their findings related to the guidelines and Department of Interior standards. Commissioner Shortridge mentioned that there would be a lot of plastic on the sign and it should not be considered a metal sign. Mr. House mentioned that there would be a metal substrate with the acrylic illuminated portions and that the lettering was vinyl. Commissioner Shortridge mentioned that he is struggling with the overall size of the proposed sign and the amount of plastic on the sign. Mr. House responded that the majority of the sign is metal.

Acting Chairperson Henderson asked how the sign of the current sign relates to the existing sign. Mr. House responded that they are both about the same. Acting Chairperson Henderson noted that the proposed sign appears to project quite a distance below the existing sign. Mr. House responded that it is about a foot lower.

Commissioner Doyle provided an observation that to the degree that which businesses may be struggling, Winona has done a good job of preserving its historic character. He expressed disappointment that the sign had already been fabricated and that the Commission do a better job of reaching out before money is committed and applicants have to come forward to seek forgiveness. He noted that this is a prominent building that remains in good shape. He also mentioned that he couldn't say if the mounting will affect the brick corbeling. He also noted that when the sign is illuminated the vinyl and acrylic will be noticeable but that if it is not illuminated it would not be an issue though it is not what the applicant desires. He reiterated that he wished that this type of situation as avoidable and expressed sympathy for downtown business owners.

Commissioner Shortridge moved to deny the application with the following findings: 1) the proposed size is out of proportion to the building and does not meet the 2'6" height recommendation found in the Historic District Design Guidelines; 2) The proposed signage is composed of materials not meeting the Historic District Design Guidelines, including vinyl and acrylic which is expressly not recommended; 3) The proposed signage is internally lit, which is not recommended in the Historic District Design Guidelines. Commissioner Doyle seconded the motion.

No further discussion forthcoming, the Commission voted via roll call (attached to

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these minutes as Appendix A) in favor of the motion 5-1 with Commissioner Paolini dissenting.

Acting Chairperson Henderson provided commentary that the proposal before the Commission would have lowered the overall amount of signage, the Commission remains beholden to the guidelines and is put in tough positions because of it but some components in the guidelines may be worth revisiting. He expressed concern that if internally lit signs were approved by the Commission that others would follow suit.

Commissioner Doyle asked if the sign proposed for the exterior could be used on the interior if visible through a window. Mr. Sims responded that this was possible.

Acting Chairperson Henderson asked that staff ensure language for appeal to the City Council be given to the applicant. Mr. Sims responded that the language will be provided as required by City Code.

4. CLG Grant & Annual Report – Request for Publication Committee

Mr. Sims asked for volunteers to work with him to review the draft annual report for the October meeting and to also review a draft RFP for the CLG Grant to develop a financial incentives and education outreach plan. Commissioners Paolini, Dretske, and Henderson volunteered.

5. 2022 MNHS Legacy Grant – Lake Park Bandshell NRHP Nomination Application

Mr. Sims noted that the next Minnesota Historical Society Legacy Grant window is opening in October and that Greg Gaut, the consultant who completed the Lake Park Bandshell evaluation report, recommends applying for the nomination grant monies at this time to ensure a quicker turnaround for the nomination in 2022.

Commissioner Shortridge moved to direct staff to bring forward the grant application to City Council. Commissioner Paolini seconded the motion. All members present voted aye.

6. Discussion of Education/Interpretive Signage

Mr. Sims provided an overview of the past conversation from the Commission in June of 2021 regarding a preference in using the available \$2,000 funds for education and potentially for signage. Mr. Sims mentioned that he had spoken to the Winona County Historical Society and that the existing cabinet at Levee Park would be a good fit and that WCHS would be able to write the content and provide that update if the HPC funded it. Mr. Sims mentioned that some of what the Commission discussed at the June meeting was getting more toward an overall signage plan which should be in place before constructing new signs for installation.

Commissioner Doyle asked what the process would be for updating the signage and whether encumbering funds would be required. Mr. Sims responded that this was unclear at the moment but would be more clear as year end approaches but that the funds could be encumbered if needed.

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Commissioner Dretske said she was uncomfortable choosing a sign for now and that there should be unified action with input from stakeholders before proceeding with new signage. Commissioner Doyle expressed agreement that there should be a plan for new signage.

Commissioner Doyle moved to use the money for updated signage in Levee Park. Commissioner Hughes seconded the motion. All members present voted aye.

7. Other Business

Acting Chairperson Henderson mentioned that just prior to the meeting, Chairperson Genia Hesser had stepped down from the Commission. He asked that the Commission elect a chair until the end of the year and that he would be willing to serve that role.

Commissioner Doyle asked to clarify if there was a backup. Mr. Sims responded that Commissioner Larson was named the backup to the Vice Chair during the last selection in December, 2020.

Commissioner Hughes moved to approve Commissioner Henderson as Chair and Commissioner Larson as Vice Chair until 2022. Commissioner Doyle seconded the motion. All members present voted aye.

Commissioner Doyle asked that an update on transitioning the website, Main Street guidance document, and Meet a Commission be provided in future.

Commissioner Shortridge asked where the Auditorium-Gymnasium demolition was. Mr. Sims responded that it still has not proceeded but has not received new information recently.

8. Adjournment

On a motion from Commissioner Shortridge and a second from Commissioner Hughes, the Commission unanimously voted to adjourn the meeting at 5:18p.m.

Luke Sims
Assistant City Planner

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APPENDIX A
Roll Call Vote Sheet

NAME	Motion to Deny COA Application at 101 West Third Street
Michael Doyle	Aye
Connie Dretske	Aye
Innes Henderson	Aye
Joseph Hughes	Aye
Cynthia Jennings	Not Present
Emily Kurash Casey	Not Present
Kendall Larson	Not Present
Jessica Paolini	Nay
Peter Shortridge	Aye

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APPENDIX B

Supplementary Information from La Crosse Sign Group Dated September 7, 2021

DRAFT

EXHIBIT E

HPC Historic District Design Guideline

- Lighting fixtures that are used for uplighting or signage lighting should be concealed as much as possible.

SIGNAGE

Signs are important to the store owner for reasons of advertising, identity, and image. As they are an extremely visible element of the storefront, signs must be used carefully so as not to detract from facades. With a little forethought and careful planning, signage can embrace other store owners' needs and Winona's image.

Storefronts should be limited to two signs—one primary and one secondary. The primary sign should be located above storefront display windows but below the sills of second floor windows. On many examples of turn-of-the-century buildings a continuous brick ledge or corbelling is used to separate the second floor and above from the storefront below. This space is ideal for sign placement, as it was often created for this purpose. In some instances, newer buildings contain areas above the highest windows for signage. This location is acceptable but should be avoided if possible.

Signage for commercial storefronts should be compatible with the scale,

style, and period of the building.

Some signage pre-dating the 1950s is now considered historic in its own right, such as painted walls and neon. These should be retained and repaired whenever possible to recognize change over time.

- Historic signage should be preserved whenever possible.
- All signage should be in accordance with the City of Winona ordinance regulating signage.
- New signage should be composed of traditional materials, such as wood, copper, or bronze. Plastic or plywood signs are not recommended.

- New signage should be installed in such a way as to prevent any damage to the building by anchoring into mortar joints, not masonry.
- New signage should be located at traditional sign locations, such as beltcourses, projecting from the face of the building, or hanging in windows.

- Signage painted on display windows or doors and window glazing is encouraged.

- Signage incorporating or resembling business logos and symbols are recommended.

- Lighting of signs is encouraged, but internally lit signs are not recommended.

- The sign must be subordinate to the building, not the opposite.

Actual size may vary, but signboards, if used, need not exceed two and a half feet high. This size is appropriate for distances the sign will be read from in a downtown setting. Letters should not be less than eight inches nor more than eighteen inches high.

- Letter styles are numerous and vary tremendously. Finding a style representing the desired image. Choose a color that complements the building as well as contrasts with the background of the signboard.

- Messages should be kept simple in content. The major function of the sign is to introduce the storefront and its contents. Wording should be minimal and slogans avoided. Descriptive words should be used rather than providing listings of items to be sold. Simple wording is easily read by pedestrians and street traffic without becoming distracting.

- If a projected sign is planned, placement will be critical to avoid interferences with adjacent signs and architecture of the storefront

itself. These signs should be located to the bottoms and are no less than eight feet above the sidewalk. Window signs should consist of a material and color that contrasts with the display, while being small enough to not interfere with the display area.

CORNICES

Cornices function as a decorative cap for the building façade, and is a characteristic feature of mid-nineteenth century commercial architecture in Winona. The cornice often has unusual decorative elements that are characteristic of the building's style.

Frequently cornices were fabricated of pressed sheet metal to create the crisp details, but bronze, cut limestone, and terra cotta are also present in the downtown historic districts.

Often a series of commercial facades used the alignment of key elements—windows, string courses, and cornices—to create the effect of a “street wall” or single unified façade lining the street. As a result, the removal or alteration of a cornice will have a negative impact on the building itself, but also those adjacent to it.

- Every effort should be made to retain and preserve cornices in their original forms.

EXHIBIT F

**September 10, 2021, letter from Luke Sims, Assistant City Planner
and Secretary of the HPC**



COMMUNITY DEVELOPMENT

207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378
FAX 507-457-8212

September 10, 2021,

La Crosse Sign Group
ATTN: Jon Mattson
PO Box 187
Onalaska, WI 54650

Re: Certificate of Appropriateness Denial, 101 West Third Street

Dear Mr. Mattson,

During the course of the September 8, 2021 meeting of the Winona Heritage Preservation Commission, the Commission voted to deny the issuance of a Certificate of Appropriateness (COA) for the proposed signage at 101 West Third Street. Per City Code 22.27 Subsection (1)(4) you may appeal the Commission's order to the City Council within 15 business days. You may also bring a revised proposal before the Heritage Preservation Commission.

City Code Section 22.27(l)(3)(iii)

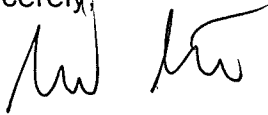
(iii) If it is determined that the work to be performed does adversely affect the site, the application shall be disapproved and the Building Official immediately informed in writing. The Commission shall furnish the permit applicant with a copy of the decision together with recommendations for changes necessary before the Commission will reconsider the permit application. The Heritage Preservation Commission, in any written order denying a permit application, shall advise the applicant of his/her right of appeal to the City Council and include this paragraph in all such orders.

Per City Code 22.27 Subsection (1)(3)(iii) (above), consider this writing your official notice that you may appeal to City Council or you may make the following changes for re-consideration before the Heritage Preservation Commission:

- 1) Adjust the size and scale of the sign to be more in keeping with the standards found in the 2007 Historic District Design Guidelines

- 2) Adjust the materials of the sign to be more in keeping with the standards found in the 2007 Historic District Design Guidelines
- 3) Adjust the lighting of the sign so that it is not internally lit

Sincerely,

A handwritten signature in black ink, appearing to read 'Luke N. Sims', with a stylized, cursive script.

Luke N. Sims
Assistant City Planner

Enclosures

CC: Chad Sommer, City of Winona Building Official
Nate Hillesheim, Owner, Erbert's and Gerbert's at 101 West Third Street

EXHIBIT G

Appeal of HPC decision dated September 22, 2021

2021
COUNCIL APPEAL FORM

SUBMIT TO: Winona City Clerk, 3rd Floor City Hall, 207 Lafayette Street, Winona, MN 55987

DEADLINE FOR APPEALS:

- Variances; Form-Based Standards Decision (End of next business day 10 days following Board of Adjustment decision; typically Monday)
- CUPs, IUPs, Land Disturbance Activity Permits, and Non-Form Based Standards Decision (End of business day 10 days following Planning Commission decision; typically Thursday)
- Certificate of Appropriateness (COA) Decision (End of business day 15 working days following Heritage Preservation Commission decision; typically Wednesday)

Appellant:

Company/Individual	<u>Erbert and Berbert's Sandwich Shop</u>		
Contact Person	<u>Nathan Hilleheim</u>	E-Mail	<u>erbertandberberts-winona@hotmail.com</u>
Mailing Address	<u>101 West 3rd Street</u>	Office Phone	
City/State/Zip	<u>WINONA MN 55907</u>	Mobile Phone	<u>507-313-1782</u>

The following is required to file a valid appeal:

1. The appellant must be a party in interest aggrieved by the decision of the Board of Adjustment, Planning Commission, or the Heritage Preservation Commission. A party in interest is a person upon whom a decision has made a tangible impact. The party shall establish the tangible impact in this application. A party in interest includes applicants, owners of adjacent property, and residents of the City of Winona.
2. A **written statement** of the reasons for the appeal. The reasons must be based on the review criteria considered by the applicable board or commission. City staff will provide a list of the applicable criteria. The statement must 1) Establish a tangible impact, 2) Succinctly state the facts, 3) Be accompanied by such documents or exhibits the appellant believes are required, and 4) State the relief requested. The statement must be dated, signed, and submitted with this application.
3. Appeal fee for Certificate of Appropriateness (COA): \$110.00
Appeal fee all others: \$215.00

Following submittal of a valid appeal, the City Clerk will schedule a public hearing in front of the City Council. You will have a maximum of 20 minutes to present your case to the Council at the meeting. The City Clerk will advise you of the meeting date and time. Questions about this form or the appeal process can be directed to the City Clerk's office at 507-457-8200.

Signature

Date



WRITTEN STATEMENT

I am requesting that the Council allow the proposed Erbert and Gerbert's Outdoor Sign that was presented to the Winona Heritage Preservation Commission. We need to be relieved of the onerous Sign Guidelines.

2007 Historic Sign Guidelines

Many downtown businesses are in favor of allowing internally lit signs to advertise their business at night and not impact the Historic Qualities of the Building and Neighborhood Establishments and Persons. Both goals can be met. National Historic Committee Information on that very topic was presented by LaCrosse Sign Group (Joel House). One community member, not known to me, even showed up to voice this feeling from downtown business owners.

Numerous downtown signs in the 3rd street Historic District are internally lit and greater than 2.5 feet tall. Merchants Bank demolished 3 buildings and hung an 8 foot Internally Lit sign facing the now-removed Historic buildings. Pet Medical Center has a large internally lit sign. More examples can be provided if needed.

Purchase of the sign was based on this information.

Information was also presented on how sign installation would NOT impact the exterior of the Brick building.

Information was also presented on how the sign was constructed. It is not a "plastic sign". It has some plastic. Over 50% of the sign is metal. Plastic is a necessary component to control and guide the light output so that it lights up the sign and not the neighborhood. If they had plastic 100 years ago, they would have used it. Just as our windows are no longer wood and ¼ inch non-insulated glass, technology should be allowed to help preserve the business/tenants in the historic building without impacting the design and material of the exterior. Our sign (with some plastic technology) accomplishes that.

People/owners of buildings/tenants of buildings will preserve the history of a building with guidance from others in the city. We have been in business for over 19 years. We have maintained and improved the building that the business resides in. A new sign will not change that.

Signed..... NAT

Date..... 09/22/21

Name... Nathan Hillstrom
507-313-3787 (cell)

EXHIBIT H

List of individuals who testified at the October 18, 2021 public appeal hearing

NameAddressThis image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.